

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3558 OF 2006

Smt. Sudha Ramchandra Joshi

.....Petitioner.

V/s

State of Maharashtra & Others

....Respondents.

Mr. Shaikh Nasir for the Petitioner.

Mr. R.D. Rane, Government Pleader, for the Respondent
Nos. 1 to 3.

Mr. N.P. Shimpi for Respondent Nos. 5 and 6.

CORAM: **H.S. BEDI, C.J., &**
V.M.KANADE, J.

DATE : **OCTOBER 16, 2006**

P.C.

We have heard the learned Counsel for the parties.

The learned Counsel for the Petitioner has laid great emphasis on Exhibit "D-1" to contend that, as a matter of fact, the Department itself had relaxed the condition in question and, as such, the reply filed in the present Writ Petition may not be entirely accurate. The learned Counsel

also referred to para 5 of the reply filed by Mr. Gajanan M. Kamble and submitted that of the three points which have been taken against the Petitioner, Point Nos. 1 and 3, perhaps, are not covered by Exhibit "D-1".

We accordingly dispose of this Petition with a direction that the Petitioner may file a comprehensive representation before the respondents within a period of two weeks and the same shall be disposed of by a speaking order within a period of six weeks thereafter. We also direct that the respondents would not be bound by any observation in the order - Exhibit "F-1" to the Petition. In case, the Petitioner is found eligible on the representation, the respondents shall issue the application form to the Petitioner forthwith and in case the matter is decided against the Petitioner, she will be at liberty to come to this Court again.

The Petition is accordingly disposed of.

CHIEF JUSTICE

V.M. KANADE, J.